

Magistrate Judge Michelle L. Peterson

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

ARIFKHAN PATHAN

Defendant.

CASE NO. MJ21-002

COMPLAINT for VIOLATION

Title 18, United States Code
Section 1341

BEFORE, Michelle L. Peterson, United States Magistrate Judge, U. S.
Courthouse, Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNTS 1 AND 2

(Mail Fraud)

A. The Scheme and Artifice to Defraud

1. Beginning at a time unknown, but no later than on or about August 1, 2020, and continuing until January 4, 2021, in King County, within the Western District of Washington, and elsewhere, Arifkhan PATHAN did knowingly and intentionally devise and attempt to devise, a scheme and artifice to defraud individuals, and to obtain money

1 from individuals by means of false and fraudulent pretenses, representations, and
2 promises, as further and more particularly described below.

3 2. The essence of the scheme and artifice to defraud was for co-schemers in
4 call centers in India to call victims in the United States and persuade the victims by
5 means of false and fraudulent pretenses to send cash via private or commercial interstate
6 carriers, including by falsely claiming that the caller was a federal agent, that the
7 victim's social security numbers had been compromised, and that sending the cash to a
8 safe third party would protect the victim's assets from thieves. As part of the scheme
9 and artifice to defraud, PATHAN took and received packages utilizing private or
10 commercial interstate carriers that contained the victims' assets in U.S. Currency, said
11 packages being placed in the mail by the victims and under the direction of the co-
12 schemers by reason of the false and fraudulent pretenses, representations and promises.
13 Further, as part of the scheme and artifice to defraud, PATHAN deposited said U.S.
14 Currency that had been received via the private or commercial interstate carriers into
15 bank accounts in order to transmit the proceeds of the fraudulent scheme back to India.

16 3. As a result of the scheme and artifice to defraud, between August 2020 and
17 December 2020, PATHAN obtained and processed packages containing over \$400,000
18 in U.S. Currency from victims of the scheme and artifice to defraud.

19 **B. Manner and Means of the Scheme and Artifice to Defraud**

20 The manner and means used to accomplish the scheme to defraud included the
21 following:

22 4. It was part of the scheme and artifice to defraud for co-schemers in call
23 centers in India to call victims in the United States and persuade the victims by means of
24 false and fraudulent pretenses to send cash via private or commercial interstate carriers
25 for various reasons. The false claims made to the victims included that the caller was a
26 federal agent and that the victim's social security number had been compromised.

27 5. It was further part of the scheme and artifice to defraud that the co-
28 schemers directed the victims to withdraw cash from their accounts and place the U.S.

1 currency in a package. The co-schemers directed the victims to mail the packages
2 containing the U.S. currency to certain addresses in the Western District of Washington,
3 using the false and fraudulent pretenses that sending the cash to a third party would
4 protect the victim's assets from thieves.

5 6. It was part of the scheme and artifice to defraud that the victims were
6 instructed to mail the packages containing the U.S. currency via a private or commercial
7 interstate carrier such as UPS or FedEx. Such private or commercial interstate carriers
8 provide tracking numbers allowing the co-schemers to track the packages of U.S.
9 currency to allow PATHAN to collect the packages on a certain date.

10 7. It was further part of the scheme and artifice to defraud that PATHAN
11 would utilize fraudulent driver's licenses with fake identifying information in order to
12 take and receive the packages from the private and commercial interstate carriers.

13 8. It was further part of the scheme and artifice to defraud that PATHAN
14 would instruct other co-schemers to retrieve packages containing U.S. currency sent via
15 the mail from victims, utilizing fraudulent driver's licenses, and then deliver said
16 packages to PATHAN for processing.

17 9. It was further part of the scheme and artifice to defraud that PATHAN
18 would process the packages and deposit the currency inside the packages into bank
19 accounts supplied by his co-schemers.

20 10. It was further part of the scheme and artifice to defraud that PATHAN
21 obtained a 2% commission on the total amount of U.S. currency contained in the
22 packages in payment for collecting and processing the packages.

23 **C. Execution of the Scheme and Artifice to Defraud**

24 11. On or about the dates listed below, in King County, within the Western
25 District of Washington and elsewhere, PATHAN, having devised the above-described
26 scheme and artifice to defraud, and to obtain money and property by means of false and
27 fraudulent pretenses, representations, and promises, and attempting to do so, knowingly
28 caused to be sent and delivered by private or commercial interstate carriers, and did

1 knowingly take and receive therefrom, according to the directions thereon, the following
 2 items, each of which constitutes a separate count of this Complaint:

Count	Date	Sender	Addressee	Item Mailed
1	October 30, 2020	Victim 3, Syracuse, NY	Elliot Carey, Seattle, WA	U.S. Currency
2	December 23, 2020	Victim 4, South Bend, IN	David Kolosky, Seattle, WA	U.S. Currency

8 All in violation of Title 18, United States Code, Section 1341 and Section 2.

10 And the complainant states that this Complaint is based on the following
 11 information:

14 I, Eric Chin, being first duly sworn on oath, depose and say:

16 **AFFIANT BACKGROUND**

17 1. I am a Special Agent with the United States Department of Homeland
 18 Security, Homeland Security Investigation (“HSI”), and have been so employed since
 19 March 2019. I am currently assigned to the HSI Seattle Office. In this capacity, I
 20 investigate federal violations including, but not limited to, money laundering, wire fraud,
 21 bank fraud, commercial fraud, document fraud, intellectual property crimes, child
 22 pornography, and organized criminal activity.

23 2. Prior to becoming a Special Agent with HSI, I was employed as a Special
 24 Agent with the United States Drug Enforcement Administration (“DEA”) for
 25 approximately three years. In this capacity, I investigated violations of the Controlled
 26 Substances Act, Title 21, U.S.C., §801, et seq., and related offenses. Based on my
 27 training and experience, I am familiar with, and have participated in, investigations and
 28 search warrants involving international money laundering, wire fraud, bank fraud, and

narcotics smuggling and trafficking. Furthermore, I am familiar with methods of investigating organizations involved in money laundering and narcotics trafficking, and have become familiar with their methods of operation, including, but not limited to: methods of communication across various digital and telephonic platforms; methods of concealing sources of income; methods of placing, concealing, layering, and integrating laundered currency; methods of manufacturing, importing, cultivating, storing, and selling narcotics; and methods of avoiding detection by law enforcement. In addition, I have received training in the detection and investigation of federal violations at the DEA Academy in Quantico, Virginia.

SUMMARY OF PROBABLE CAUSE

A. Interview of UPS Store Manager on November 25, 2020

3. On November 25, 2020, investigators conducted an interview with the manager of a United Parcel Service (“hereinafter, “UPS”) Store located at 1416 NW 46th St, Ste 105, Seattle, WA. This interview was related to suspected packages containing elder fraud proceeds being picked up by an individual using a Pennsylvania Driver’s License under the name of “Elliott Carey”.

4. Following the presentation of an administrative subpoena to UPS, UPS indicated they received at least two phone calls from law enforcement investigators from Texas and Colorado in the last couple of months regarding scammed currency fraudulently being sent through the mail. Most notably, the investigators provided UPS tracking numbers which were all addressed for pick up by the individual using the name “Carey”. UPS indicated the following packages were also previously picked up by Carey at the current UPS location:

Delivery Date	Delivery Information
August 27, 2020	Tracking number 1ZEF83492915258138 sent next day air. Shipper was the UPS Store, 712 Vista Blvd, Waconia, MN 55387

1	August 28, 2020	Tracking number 1Z2RY9662499471979 sent next day air. Shipper
2		was the UPS Store, 2601 S. Lemay Ave, Ste 7, Fort Collins, CO.
3	October 10,	Tracking number 1Z17742YA382464024 sent next day air.
4	2020	Shipper was an individual, hereinafter, "VICTIM 2", UPS Store,
5		200 S. Oakridge Dr, Ste 101, Hudson Oaks, TX.
6	October 16,	Tracking number 1Z17742Y1316176363 sent next day air. Shipper
7	2020	was VICTIM 2, UPS Store, 200 S. Oakridge Dr, Ste 101, Hudson
8		Oaks, TX.
9	October 22,	Tracking number 1ZE057A22490993108 sent next day air. Shipper
10	2020	was VICTIM 2, UPS Store, 6387 Camp Bowie Blvd, Ste B, Fort
11		Worth, TX.
12	October 30,	Tracking number 1Z6F177E0126255076 sent next day air. Shipper
13	2020	was an individual hereinafter, "VICTIM 3", UPS Store, 319
14		Nottingham Rd, Syracuse, NY.
15	November 4,	Tracking number 1Z88V8542471372122 sent by 3 day select
16	2020	service. Shipper was an individual, hereinafter, "VICTIM 1", UPS
17		Store, 3800 Bridgeport Way W, Ste A, University Place, WA.

19 5. UPS stated Carey was familiar to UPS staff and was identified as using a
20 fraudulent Pennsylvania driver's license as his form of identification.¹ Carey was
21 described as a heavy-set adult male of Indian ethnicity, approximately 6 feet tall and 230
22 pounds. UPS staff made Carey fill out a "Package and Expedited Letter Receiving
23 Service Agreement" form in order to obtain his personal information. As a result, Carey
24 provided 424-442-2882 as his phone number. Carey's Pennsylvania driver's license

27 ¹ UPS staff told investigators that they determined the driver's license was fraudulent because the print quality of the
28 license was poor, and CAREY's physical description on the driver's license did not match the individual picking up
packages. Specifically, the license stated that CAREY was 5'5" while the individual who picked up the packages
was over 6 feet tall.

1 #26730438 indicated he resided on Sussex St in Old Forge, PA. UPS staff told Carey
2 that they would contact him at his phone number in the event other packages could be
3 picked up.

4 6. Investigators queried phone number 424-442-2882 within a LexisNexis
5 public records database. LexisNexis identified the phone number as being associated to
6 Aakash Gandhi, who resided at 330 4th St, Apt 209, Kirkland, WA.

7 7. Investigators then queried the Washington State driver's license of Gandhi.
8 The physical description of Gandhi was listed as 6 feet 3 inches, and 200 pounds. The
9 headshot of Gandhi's Washington driver's license matched the headshot utilized in
10 Carey's fraudulent driver's license.

11 **B. Interview of Victim 3 on December 7, 2020**

12 8. On December 7, 2020, investigators conducted an interview with Victim 3,
13 an elderly female residing in New York regarding a UPS package delivered to Carey on
14 October 30, 2020.

15 9. Victim 3 stated on October 22, 2020, she received a phone call from an
16 individual identifying herself as a representative of the Social Security Administration.
17 The scammer informed Victim 3 that her social security number had been "hacked" and
18 was being used in other states. This phone call was followed up by another individual
19 identifying himself as with the Attorney General's office in Houston, TX. The scammers
20 instructed Victim 3 to mail \$13,000 U.S. currency to Steve Bender in Allentown, PA.
21 Victim 3 withdrew \$13,500 from her Geddes Federal and Savings Loan bank account and
22 placed \$13,000 U.S. currency in a package that was sent via FedEx to 1319 Hanover
23 Ave, Allentown, PA with tracking number 398113600073. According to the FedEx
24 website, the Allentown package was delivered on October 23, 2020.

25 10. On October 29, 2020, the scammer instructed Victim 3 to withdraw
26 \$30,000 from her Geddes Federal Savings and Loan account and mail the funds via UPS
27 to Carey at 1416 NW 46th St, Ste 105, Seattle, WA. Victim 3 complied and provided a
28

1 package tracking number of 1Z6F177E0126255076. According to the UPS website, the
2 Seattle package was delivered on October 30, 2020.

3 **C. Interview of Aakash GANDHI on December 23, 2020**

4 11. On December 23, 2020, investigators knocked on the door of Aakash
5 Gandhi's apartment located at 330 4th St, Apt 209, Kirkland, WA. Investigators were
6 greeted by Gandhi and identified themselves as officers with Immigration Customs
7 Enforcement and the Seattle Police Department. Investigators then asked for permission
8 to speak inside the apartment and Gandhi agreed.

9 12. Investigators told Gandhi that they were investigating packages he had
10 picked up from the UPS Store in Ballard located at 1416 NW 46th St., Seattle, WA.
11 Gandhi immediately told investigators that he never picked up such packages.
12 Investigators then presented Gandhi with a photo of the fraudulent Pennsylvania driver's
13 license in the name of Carey which was used to pick up packages. Gandhi stated he had
14 only been to the UPS Store in Ballard two or three times. At this time, investigators told
15 Gandhi that if he wished to terminate the interview at any point, he could ask
16 investigators to leave his residence, and they would. Gandhi acknowledged he heard the
17 statement.

18 13. Investigators asked Gandhi if they could search his wallet and Gandhi
19 presented his wallet. Investigators found the above described fraudulent Pennsylvania
20 driver's license in the name of Carey inside the wallet.

21 14. Investigators pressed Gandhi on the contents of the packages and Gandhi
22 indicated he had no idea what was inside. Gandhi stated he was instructed by his friend
23 named "Aarif PATHAN" to pick up the packages. PATHAN told Gandhi that he
24 received too many packages and required help from Gandhi to pick them up. PATHAN
25 also provided the fraudulent driver license to Gandhi. Gandhi stated he never questioned
26 why a fraudulent driver's license was needed, and that he started picking up packages for
27 PATHAN two months ago. Investigators are aware of packages that were picked up by
28 "Elliott Carey" as early as October 2020.

1 15. Gandhi stated PATHAN would tell him the day before, or the day a
 2 package was delivered, that a package needed to be retrieved. Gandhi would then meet
 3 PATHAN at a neutral location halfway between their locations, Gandhi's residence, or
 4 PATHAN's residence located at 3840 S. 176th St, SeaTac, WA. Gandhi also stated that
 5 PATHAN would sometimes go with Gandhi to retrieve a package. When asked about the
 6 vehicle PATHAN utilized, Gandhi stated he drove a gray Toyota Prius.

7 16. Investigators asked Gandhi for consent to search his cell phone and asked
 8 Gandhi to sign a Seattle Police Department "Consent to Search" form indicating that he
 9 freely and voluntarily authorized investigators to conduct a complete search of his
 10 Samsung Galaxy S-10, IMEI 354416100353937. Gandhi agreed to both the search and
 11 signed the "Consent to Search" form.

12 17. During the search of the phone, investigators reviewed Gandhi's text
 13 messages. One string of text messages sent on December 22, 2020, between PATHAN
 14 and Gandhi was of interest.

15 **PATHAN - 10:42 p.m.:** "I am on my way at my home, will meet
 16 tomorrow at pick up location"

17 **GANDHI - 10:42 p.m.:** "okay"

18 **GANDHI - 10:42 p.m.:** "See you"

19 **GANDHI - 10:43 p.m.:** "Tomorrow"

20 **PATHAN - 10:43 p.m.:** "Yes (Thumbs Up Emoji)"

21 18. Investigators, with permission of Gandhi, opened the UPS and FedEx
 22 phone applications. Investigators observed a list of all tracking numbers Gandhi was
 23 associated with, which included current and historical packages. In order for this list to be
 24 generated, the user must input their package recipient information into the application.
 25 Most notably, investigators observed a next day air UPS package with tracking number
 26 1Z1F36X52428805148, en route to Seattle, WA from South Bend, IN. The package was
 27
 28

1 expected to be delivered on December 23, 2020², coinciding with PATHAN and
2 Gandhi's text messages.

3 19. Investigators utilized the Washington Department of Licensing database to
4 determine individuals associated with PATHAN's residence. Search results indicated
5 Arifkhan Ajamkhan PATHAN resided at this location and was the registered owner of a
6 gray 2006 Toyota Prius, license plate WA-ZUFI.

7 20. During the search of Gandhi's cell phone, investigators discovered an
8 additional WhatsApp message between Gandhi and PATHAN that contained a recorded
9 message regarding the delivery of Victim 3's package, the content of the message
10 included the tracking number provided by Victim 3. In this audio recording, a female can
11 be heard speaking in an Indian-English accent with UPS. The unidentified female
12 portrayed herself to be Victim 3 and stated she wanted to know when the package would
13 be available for pickup by Carey. UPS indicated that they just received a phone call from
14 Carey and the package was on the delivery truck headed to UPS.

15 **E. Seizure of Gandhi and PATHAN's UPS Package on December 23, 2020**

16 21. On December 23, 2020, at approximately 2:10 p.m., investigators were
17 contacted by the Fremont UPS Store located at 3518 Fremont Ave N, Seattle, WA
18 indicating UPS package 1Z1F36X52428805148 was available for pickup. This package
19 was listed on Gandhi's UPS cell phone application and believed to be affiliated with
20 PATHAN based on text messages.

21 22. At approximately 3:00 p.m., investigators arrived at the UPS store and
22 initiated the seizure of the UPS package which matched the tracking number from
23 Gandhi's cell phone. This package was originally sent from VICTIM 4 at 1290 E.
24 Ireland Rd, South Bend, IN, and addressed to David Kolosky at 3518 Fremont Ave N,
25 Seattle, WA. The package was sent on December 22, 2020 via next day air service.
26
27

28 ² Following the interview with Gandhi, investigators determined the package was to be delivered to the Fremont
UPS Store located at 3518 Fremont Ave, N, Seattle, WA.

23. At approximately 3:09 p.m., investigators observed an adult male matching the physical description of PATHAN enter the store. PATHAN told the UPS employee he was there to pick up a package in the name of Kolosky. At this time, I motioned to PATHAN that I could help him. I asked PATHAN for his driver's license. PATHAN then handed me a fraudulent Pennsylvania driver's license #27383401. The license was for David Kolosky, E. Garrison St, Bethlehem, PA 18018. The photograph on the license was the same exact photograph of Gandhi which was also utilized on the fraudulent Pennsylvania driver's license in the name of Carey.

24. I told PATHAN that he did not look like the individual on his license. PATHAN stated he was picking up a package for his brother. I then asked PATHAN for his real driver's license which PATHAN stated was in his vehicle. PATHAN walked out of the UPS Store without asking for his Pennsylvania driver's license back. At the same time, another investigator was standing at the entrance of the UPS Store and observed PATHAN walk to a gray Toyota Prius. PATHAN entered the vehicle and made an illegal U-turn to depart the vicinity. The investigators identified the vehicle as PATHAN's gray 2006 Toyota Prius license plate WA-ZUFI. Investigators also noted the vehicle had a custom license plate cover with the word "PATHAN." Investigators seized UPS package 1Z1F36X52428805148 and returned it to HSI Seattle Field Office.

F. Interview of Victim 4 on December 23, 2020

25. On December 23, 2020, at approximately 4:45 p.m. following the seizure of the UPS package 1Z1F36X52428805148, investigators conducted an interview of Victim 4, an elderly male residing in Indiana, regarding the package sent to Kolosky.

26. Victim 4 confirmed he was the unknowing participant of a scam in which individuals claiming to be government officials and law enforcement officers told him his social security number was compromised. Victim 4 stated within the last 24 hours, he had received a call from a male who spoke English with an Indian accent. The scammer indicated he was a federal agent who discovered that Victim 4's social security number had been utilized to purchase real property in Ohio and Rhode Island, as well as establish

1 six financial accounts and a vehicle. Victim 4 told the scammer he was not associated
2 with any of the transactions, the scammer then advised Victim 4 that his social security
3 number was compromised and the funds in his bank accounts were in jeopardy of being
4 lost. However, the scammer told Victim 4 that the situation could be resolved if Victim 4
5 withdrew his money and transferred it to the scammer's government agency where it
6 would remain safe until they could clear his name.

7 27. The scammer instructed Victim 4 to withdraw \$24,600 U.S. currency from
8 his bank account, place the funds in a large box and mail the box via UPS to Kolosky at
9 3518 Freemont Ave N, Seattle, WA. Victim 4 complied with the scammer's instructions
10 and withdrew the currency from his Teacher's Credit Union account, placed the currency
11 in a package and mailed it to Kolosky.

12 **G. Second Interview of Aakash Gandhi on December 23, 2020**

13 28. On December 23, 2020, at approximately 6:30 p.m., investigators
14 conducted a planned interview with Gandhi.

15 29. Prior to any questioning, Gandhi stated he had time to reflect on the day's
16 events. Gandhi stated when he was picking up packages for PATHAN, Gandhi did not
17 know money was inside the packages. However, Gandhi stated he pieced together the
18 scam after investigators told him the funds were elder fraud proceeds.

19 30. Gandhi stated that he initially met PATHAN a few years ago when they
20 worked together at India Supermarket in Bellevue, WA. Gandhi stated he had previously
21 told PATHAN stories about Gandhi's friends in India who worked at scam call centers
22 in his teenage years. These call centers engaged in all types of scams, not only elder
23 fraud. Gandhi stated he believed PATHAN felt comfortable recruiting Gandhi to pick
24 up packages with a fraudulent driver's licenses because of PATHAN's knowledge of
25 Gandhi's association with call centers.

26 31. Investigators asked Gandhi how he believed PATHAN fit into the call
27 center organization. Gandhi stated there were numerous call centers based in India and
28 all of the call centers required a way to collect their proceeds. PATHAN was likely

1 working as a package courier for multiple call centers as the volume of packages he was
 2 receiving was very high. Gandhi then referenced a WhatsApp photo in his phone with
 3 the file title "IMG-20201207-WA0000.jpeg." The text in the photo was as follows:

4 **DAVID - (Tuesday, Wednesday, Thursday)**

5 UPS Stores:

6 -2311 N 65th St
 7 -10002 Aurora Ave N, Ste 36
 8 -1037 NE 65th St

9 FedEx Stores:

10 -8345 15th Ave NW
 11 -4468 Stone Way N

12 **JEFFREY - (Monday, Friday)**

13 UPS Stores:

14 -6513 132nd Ave NE, Kirkland
 15 -11410 NE 126th St, Kirkland

16 FedEx Stores:

17 -16815 NE Redmond Way Ste 220, Redmond
 18 -1313 156th Ave NE, #230, Bellevue

19 **No packages for Saturday & Sunday**

20 32. GANDHI stated that in the above photo, David and Jeffery were the names
 21 on fraudulent drivers' licenses who were also listed as the recipients of the packages.
 22 The days of the week next to their names were when packages would be retrieved by
 23 these individuals at the UPS or FedEx stores. This schedule was then told to a call
 24 center, so they knew what to tell defrauded victims where to send their packages. For
 25 example: If the scammer called on a Monday, the call center would tell their defrauded
 26 victim to send a package next day air for arrival on Tuesday. Tuesday corresponded
 27 with David, so the call center would have victims address their packages to David. The
 28 call center then picked a shipping courier and a location of their choice. Upon receiving
 the tracking number from the defrauded victim, the call center gave that information to
 PATHAN, who would pick up the packages with the fraudulent driver's licenses.

1 33. Gandhi stated upon UPS and FedEx catching on to their use of fraudulent
2 drivers' licenses, PATHAN would create a new list of places he could pick up packages
3 which were relayed to the call center. Investigators asked why UPS and FedEx were
4 primarily used and Gandhi stated they were preferred because shipments could be
5 modified or re-routed with just the package's tracking number. Gandhi stated that due to
6 the ease of packages being diverted, PATHAN and call centers attempted to closely
7 guard the tracking numbers, however, PATHAN and call centers understood the loss of
8 packages was part of the business. Gandhi told investigators these packages could be
9 seized by law enforcement and were also vulnerable to other scammers who attempted
10 to steal tracking numbers from call centers.

11 34. Investigators asked Gandhi how PATHAN moved the money back to India.
12 Gandhi stated due to the volume of packages PATHAN received, PATHAN's residence
13 likely held a lot of currency waiting to be laundered. PATHAN would often resend
14 packages he received through the mail at the direction of call centers to create additional
15 layers of protection. For example, if PATHAN had \$10,000, the call center might tell
16 PATHAN to send \$2,500, \$2,000, and \$2,000 in three different packages to different
17 individuals. The remaining funds might then be wired back to India or to other
18 individuals at the choice of the call centers.

19 **H. Surveillance of Gandhi and PATHAN at FedEx on December 26, 2020**

20 35. On December 26, 2020, GANDHI told investigators that PATHAN asked
21 him to pick up package 781875903577 from a FedEx store, located at 8345 15th Ave
22 NW, Seattle, WA. This package was to be picked later the same day. The sender of the
23 package was identified as a suspected fraud victim, (hereinafter "Victim 5").

24 36. At approximately 11:00 a.m., investigators initiated surveillance at the
25 FedEx location and spoke with the onsite FedEx manager. The manager indicated
26 package 781875903577 was available for pickup by David Kolosky. Investigators
27 further visually identified a package approximately 15" x 15" x 15" sitting on the "Hold
28

1 at Location" shelf with the text "KOLO" printed on a label. The box had a red fragile
2 sticker.

3 37. At approximately 12:12 p.m., investigators observed two gray Toyota
4 Priuses driving in tandem, park in front of FedEx. Investigators identified one vehicle as
5 being driven by Gandhi, and the other vehicle as being driven by PATHAN.

6 38. After parking, Gandhi and PATHAN exited their vehicles. As Gandhi and
7 PATHAN walked past each other, PATHAN discreetly and quickly handed off a small
8 object to Gandhi, which was later identified as a fraudulent driver's license.

9 39. At approximately 12:16 p.m., investigators observed Gandhi exit the FedEx
10 store with a square FedEx package bearing a red fragile sticker. Gandhi then handed the
11 package to PATHAN who was sitting inside his vehicle. Shortly after, PATHAN
12 departed the location.

13 **I. Search of PATHAN's Residence and Arrest on January 4, 2021**

14 40. On December 31, 2020, the Honorable David W. Christel, U.S. Magistrate
15 Judge of the Western District of Washington, approved a federal search warrant for
16 PATHAN's residence and vehicle. On January 4, 2020, investigators executed a federal
17 search warrant at the residence of PATHAN, located at 3840 S. 176th St, SeaTac, WA.

18 41. A thorough and systematic search of the residence and a gray 2006 Toyota
19 Prius license plate WA-ZUFI was conducted. Following the search of the residence and
20 vehicle, evidence including cell phones with package-related communications, package
21 ledgers, and fraudulent drivers' licenses were seized and transported back to the HSI
22 Seattle Field Office.

23 42. At approximately 8:20 a.m., HSI Task Force Officer Lawrence Meyer and I
24 conducted an interview with PATHAN. Prior to interviewing PATHAN, investigators
25 read his Miranda Rights from Immigration and Customs Enforcement (ICE) Form 73-
26 025. PATHAN signed the form and stated he understood his Miranda Rights, agreeing to
27 be questioned by investigators.
28

1 43. PATHAN admitted to investigators in sum he was involved in collecting
2 money for an Indian call center. PATHAN stated he started picking up packages for the
3 call center beginning August 2020. PATHAN explained that the Indian call center would
4 scam individuals and then direct these individuals where to send funds. PATHAN would
5 then retrieve the funds after the call center provided him the package's tracking number,
6 and the receiver's name on the package. PATHAN stated he would receive images of
7 fraudulent driver's licenses in the package receiver's names, and PATHAN would then
8 print the ID's utilizing an ID printing machine that was paid for by the call center. Once
9 money from the package was retrieved, co-conspirators would tell PATHAN where the
10 funds needed to be sent. Funds were primarily directly deposited into bank account
11 numbers given to PATHAN including, but not limited to, J.P. Morgan Chase, Bank of
12 America, and Wells Fargo Bank. PATHAN was also instructed to send funds utilizing
13 CoinMe. However, PATHAN said he was not well versed in CoinMe and only utilized it
14 once as a result of his unfamiliarity. PATHAN stated in addition to the use of banks,
15 there were four or five occasions when PATHAN physically dropped off currency to an
16 individual who operated a hawala. PATHAN stated he was paid between \$100 and
17 \$300 per package he picked up.

18 44. Investigators asked PATHAN if he knew the true source of the funds he
19 was picking up. PATHAN stated he did not know exactly how individuals were
20 scammed, but admitted the funds were obtained through illegal call centers and schemes
21 such as those relating to Social Security Number fraud.

22 45. PATHAN showed investigators on a silver Nokia cellphone the WhatsApp
23 communications he had with his associates, and Gandhi. Investigators observed
24 communications identifying package tracking numbers, suspected victims' names
25 sending packages, the receiver's names, and package cash amounts. Examples of these
26 messages included the package sent by Victim 4. Three of the packages were for pick up
27 using fraudulent drivers' licenses in the name of David Kolosky, and one package was
28 for pick up by Elliott Carey.

1 46. While investigators were discussing PATHAN's WhatsApp
2 communications, a message from a co-conspirator arrived on the phone. The co-
3 conspirator sent a photo of a fraudulent Pennsylvania driver's license in the name of
4 Eddie Perez, 606 Decatur St, Philipsburg, PA 16866. The license utilized PATHAN's
5 headshot. A second fraudulent Pennsylvania driver's license also in the name of Eddie
6 Perez was also found utilizing Gandhi's headshot.

7 47. Investigators asked PATHAN to explicitly state the number of packages he
8 picked up, the number of times he went to a bank to deposit funds on behalf of the call
9 center, and the number of times he utilized CoinMe. PATHAN stated he picked up
10 approximately 12 or 13 packages, deposited funds into bank accounts approximately six
11 or seven times and utilized CoinMe one time.

12 48. From within the residence, investigators uncovered additional drivers'
13 licenses which utilized PATHAN and Gandhi's photo. Three drivers' licenses utilizing
14 PATHAN's photos were in the names of David Auman, Morgan Gray, and Jamel Pride.
15 Investigators also uncovered from the residence ledgers corresponding to the pickup of
16 UPS and FedEx packages. The ledgers indicated that as early as August 2020, PATHAN
17 was picking up packages in the name of "E. CARRY." PATHAN appeared to make a
18 2% commission on every package he picked up. The ledger indicated PATHAN received
19 approximately \$400,000 from packages between August 26, 2020 and December 3, 2020.

20 //

21 //

22 //

E CARRY
 August
 08/26 - FD → 4,800 2% \$96+4
 27 / FD → 11,000 2% \$220
 27 / UPS → 8,000 2% \$160
 28 / UPS → 11,725 2% \$399.70
 \$880.00
 UPS FEES + 20.00
 \$900.00
 BONUS + \$300.00
 \$1,200.00
 29 / FD → 20,000 2% \$400.00
 \$1,600.00
 1,800
 September 2020
 09/24 FD → 26K 2% → \$20
 09/30 FD → 10K 2% → 100 + 200 BONUS
 Oct - 20
 10/2 → FD 10K 2% → 200
 10/3 → OPS 23K 2% → 460
 GRAND Total \$1,580
 1,600
 10/6 → FD 15K 2% 300
 16 → UPS 11K 2% 220
 10/8 → 2UPS 13K + 15K 2% 560 + 20
 19 → UPS 20K 2% 400
 9 → FD 10K 2% 200
 10 → UPS 28K 2% 560 + 10
 \$2,270
 + 30
 \$2,300

OCT-20
 10-12 / FD - 15K - 2% → 300
 10-16 / UPS 20K - 2% → 400 - 10
 10-20 / UPS 20K - 2% → 400 - 10
 10-22 / UPS 15K - 2% → 300 - 10
 \$1,430
 Paid
 10-29 / UPS - 15K 2% - 300 + 10
 11-1 / UPS - 9K 2% - 180 + 10
 10-30 / UPS - 15K 2% - 300 + 10
 10-30 FD - 15K 2% - 300
 10-31 FD - 8K 2% - 160
 11-9 - FD - 14K 2% - 280 + 60 Uber
 \$1,610
 Paid

11/25 → 15K FD 2% 300/-
 12/3 → 10K FD 2% 200/-

1 **J. Search Warrant for Seized UPS Package 1Z1F36X52428805148**

2 49. On December 31, 2020, the Honorable David W. Christel, U.S. Magistrate
3 Judge of the Western District of Washington, approved a federal search warrant for the
4 seized UPS Package 1Z1F36X52428805148. On January 4, 2020, investigators executed
5 a federal search warrant of the package and recovered \$24,600 U.S. Currency.

6
7 **CONCLUSION**

8 50. Based on the above facts, I respectfully submit that there is probable cause
9 to believe that Arifkhan PATHAN committed the crime of Mail Fraud, in violation of
10 Title 18, United States Code, Section 1341, and 2.

11
12
13 

14
15 ERIC CHIN
16 Special Agent
17 Homeland Security Investigations

18 Based on the above-named Complainant having provided a sworn statement
19 attesting to the truth of the foregoing Affidavit this 5th day of January 2021, the Court
20 hereby finds that there is probable cause to believe that the Defendant committed the
21 offenses set forth in this complaint.

22 Dated this 5th day of January 2021.

23
24
25 

26 HON. MICHELLE L. PETERSON
27 United States Magistrate Judge
28